

REMARKS / ARGUMENTS

Claims 1-3, 6, and 8-12 remain pending in this application. Claim 7 has been canceled without prejudice or disclaimer. No new claims have been added.

Interview

Applicants wish to thank the Examiner for conducting an interview with the undersigned on August 26, 2005. The claims have been amended as discussed in the interview.

Information Disclosure Statement

On September 2, 2001 Applicants filed an Information Disclosure Statement. On the initialed PTO-1449 Form returned with the Office Action, the Examiner crossed off reference AL and wrote "No Characterization". Applicants request clarification of the phrase "No Characterization".

35 U.S.C. §102

Claims 1-3 and 6-12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Fritchie et al (U.S. Patent No. 6,022,746). Claims 1-3, 6 and 12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Bevirt et al (U.S. Patent No. 2002/0150450). These rejections are traversed as follows.

During the interview, and as reported in the Interview Summary, the undersigned traversed the rejections of record and agreed to consider adding the limitations of claim 7 into claim 1. In addition to the arguments for patentability filed in the previously filed response, which are hereby incorporated by reference, Applicants wish to further argue that the cited references fail to disclose or suggest a method in which a standard value for results of analyses on accuracy management samples using the same reagents in all automatic analyzing apparatuses in all facilities administered by the service center is calculated. Furthermore, the references do not disclose calculating a deviation between the results of analysis and the standard value when an accuracy management sample is newly analyzed by an automatic analyzing apparatus. The results of this analysis are used to verify that the analysis parameters used in the analysis are correct. This helps determine if there is some defect in an automatic analyzing apparatus or if the incorrect parameters are being used.

As such, it is submitted that the pending claims patentably define the present invention over the cited art. The Examiner is hereby invited to contact the undersigned with any questions in order to expedite the prosecution of this application.

Appl. No. 09/936,918
Amendment dated August 30, 2005
Reply to Office Action of May 31, 2005

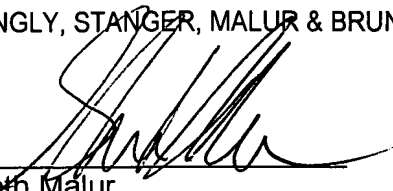
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Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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